

In violation of Title 18, United States Code, Sections 111(a)(1) and (b).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 4, 2004, in Philadelphia, in the Eastern District of Pennsylvania, defendant

BERNARD ALLEN,

knowingly, by use of a dangerous and deadly weapon, that is, his mouth and teeth, and forcibly assaulted, resisted, opposed, impeded, intimidated, and interfered with N.M., an employee of the Federal Bureau of Prisons, and inflicted bodily injury on him by biting him, while N.M. was engaged in, and on account of, his official duties.

In violation of Title 18, United States Code, Sections 111(a)(1) and (b).

NOTICE OF ADDITIONAL FACTORS

THE GRAND JURY FURTHER CHARGES THAT:

1. In committing the offenses charged in Counts One and Two of this indictment, defendant **BERNARD ALLEN**:

a. Committed offenses involving the use of a dangerous weapon, as described in U.S.S.G. § 2A2.2(b)(2)(B).

b. Committed offenses involving victims who sustained serious bodily injuries, as described in U.S.S.G. § 2A2.2(b)(3)(B).

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney